

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

CHARLES A. NOVEY §
VS. § CIVIL ACTION NO. 1:06cv424
T.C. OUTLAW §

MEMORANDUM OPINION AND ORDER

Petitioner Charles A. Novey, formerly an inmate confined at the Federal Correctional Complex in Beaumont, Texas, filed this petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241.

Discussion

Petitioner filed this petition challenging the loss of good conduct time credits that allegedly were unconstitutionally taken from him. Petitioner states the deprivation of good time credits extended the length of his confinement.

Analysis


Title 28 U.S.C. § 2241 gives the district court authority to grant a writ of habeas corpus where a state prisoner “is in custody in violation of the Constitution or laws or treaties of the United States.” 28 U.S.C. § 2241(c)(3).

On July 7, 2008, the respondent filed a notice to the court informing the court petitioner has been released from custody, making petitioner's challenge to the loss of good conduct time moot. As petitioner is no longer confined, he has granted the relief sought satisfying the goal of this petition. Thus, the petition has become moot. The petition should, therefore, be dismissed.

O R D E R

For the foregoing reasons, petitioner's petition should be dismissed. A final judgment will be entered dismissing this action this date.

SIGNED this 3 day of August, 2008.



THAD HEARTFIELD
UNITED STATES DISTRICT JUDGE